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Michelle Chan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.

10/609,012

Confirmation No.:

8342

Applicant

Theo T. Nikiforov

Filed TC/A.U.

June 27, 2003

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1637

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Examiner

Jeffrey Siew

Docket No.

100/07933

Customer No.

021569

Title

Assay Methods and Systems

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

The references cited on the attached form PTO-1449 are being called to the attention of the Examiner. This application is a continuation of U.S. Patent Application No. 10/057,812, filed January 24, 2002, which is a continuation of U.S. Patent Application No. 09/727,532, filed November 28, 2000 (now U.S. Pat. 6,436,646), which is a continuation of U.S. Patent Application No. 09/569,193, filed May 11, 2000 (now U.S. Pat. 6,472,141), which is a continuation-in-part of U.S. Patent Application No. 09/316,447, filed May 21, 1999 (now U.S. Pat. 6,287,774). All references cited in the attached form 1449 have been previously cited in these applications. Copies of documents are therefore not being provided pursuant to 37 CFR §1.98(d). If copies of the references are not available to the Examiner, the Examiner is invited to contact the undersigned.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is made that a search has been conducted or that this statement encompasses all possible relevant information.

Applicants believe that no fee is required for submission of this statement, since it is being submitted within three months of the filing date or prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to charge such fee to Deposit Account No. 03-0177. Please charge any additional fees or credit any overpayment to the abovenoted deposit account.

Respectfully submitted,

Andrew L. Filler Reg. No. 44,107

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Complete if Known Substitute for form 1449A/PTO **Application Number** 10/609,012 June 27, 2003 INFORMATION DISCLOSURE Filing Date First Named Inventor Theo T. Nikiforov STATEMENT BY APPLICANT 1637 Art Unit Jeffrey Siew (use as many sheets as necessary) **Examiner Name** 100/07933 Sheet of Attorney Docket Number

-		U	I.S. PATENT DO	CUMENTS	
Examiner Initials	Cite No.	Document No. Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appeal
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		Application Number	10/609,012	10
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		FOREIG	N PATENT DO	CUMENTS		
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	BJ	EP-0 781 853	07-02-1997	Eli Lilly Co.		

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Cite Initials No.		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
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BQ DESHPANDE, S.S. et al., "A Robust, Versatile Tyrosine Kinase Assay for HTS in Dr Discovery," Prog. Biomed. Optics (SPIE) (1999) 3603:251-61		DESHPANDE, S.S. et al., "A Robust, Versatile Tyrosine Kinase Assay for HTS in Drug Discovery," Prog. Biomed. Optics (SPIE) (1999) 3603:251-61				
	BR	DEVLIN, R. et al., "Homogeneous Detection of Nucleic Acids by Transient-State Polarized Fluorescence," Clin. Chem. (1993) 39:1939				
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		Application Number	10/609,012	(2)
INFORMA	TION DISCLOSURE	Filing Date	June 27, 2003	70
STATEME	NT BY APPLICANT	First Named Inventor	Theo T. Nikiforov	OCT 0 6 20C3 2
		Art Unit	1637	\$
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ВТ	EVETT, J. et al., "DNA-Polylysine Interaction as Studied by Polarization of Fluorescence," Ann. N.Y. Acad. Sci. (1969) 158:210-22
BU	GIBSON, et al., "A Homogeneous Method for Genotyping with Fluorescence Polarization," Clinical Chemistry (1997) 43:1336-41
BV	GINGERAS, T.R. et al., "A Spectrofluorometric Method for Measurement of Restriction Endonuclease Activity Based on Fluorescence Polarization," J. Cell. Biochem. Suppl. (1992) Suppl. 17 Part C, p. 173
BW	GLOTOV, B.O. et al., "Histone H1-DNA Interaction: Influence of Phosphorylation on the Interaction of Histone H1 with Linear Fragmented DNA," Nucleic Acids Research (1977) 4:1065:82
вх	GREEN, R.C. "Fluorescence Polarization Colloid Charge Titration: Development and Application for Feed Forward Coagulant Control at Water Treatment Facilities," Ph.D. Thesis, University of Colorado (1997)
BY	ICHIMURA, S. et al., "The Interaction of 8-Anilino-1-Naphthalanesulfonatate with Polylysine and Plyarginine," Biopolymers (1977) 16:1449-64
BZ	JISKOOT, W. et al., "Preparation and Application of a Fluorescein-labled Peptide for Determining the Affinity Constant of a Monoclonal Antibody-Hapten Complex by Fluorescence Polarization," Anal. Biochem. (1991) 196:421
CA	JOLLEY, M.E. et al., "Fluorescence Polarization Immunoassay I. Monitoring Aminoglycoside Antibiotics in Serum and Plasma," Clinical Chemistry (1981) 27:1190-97
СВ	JOLLEY, M.E. et al., "Fluorescence Polarization Assays for the Detection of Proteases and Their Inhibitors," Journal of Biomolecular Screening (1996) 1:33-38
СС	JORDEN, R.M. et al., "Colloid Charge Capacity-Its Measurement, Problems and Promise," Chemical Water and Wastewater Treatment IV (1997) 121-35
CD	KUMKE, M.U. et al., "Hybridization of Fluorescein-Labeled DNA Oligomers Detected by Fluorescence Anisotropy with Protein Binding Enhancement," Anal. Chem. (1995) 67:3945-51
CE	LAURENCE, D.J.R., "A Study of the Adsorption of Dyes on Bovine Serum Albumin by the Method of Polarization of Fluorescence," Biomechanical Journal (1952) 51:165-77 "
CF	LEVINE, L.M. et al., <u>Anal. Biochem.</u> (1997) 247:83-88
CG	LEVISON, S.A. et al., "Fluorescence Polarization Measurement of the Hormone-Binding Site Interaction," Endocrinology (1976) 99:1129
СН	LUNDBLAD, J.R., et al., "Fluorescence Polarization Analysis of Protein-DNA and Protein-Protein Interactions," Molecular Endocrinology (1996) 10:607-612
CI	LYNCH, B.A. et al., "A Fluorescence Polarization Based Src-SH2 Binding Assay," Analytical Biochemistry (1997) 247:77-82

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A/PTO			C	omplete if Known	
			Application Number	10/609,012	OE
INFORMATION DISCLOSURE			Filing Date	June 27, 2003	211-50
STATEMENT BY APPLICANT			First Named Inventor	Theo T. Nikiforov	70 37
			Art Unit	1637	DCT 0 6 20C3
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CJ	MURAKAMI, A. et al., " <u>Nucl. Acids Res.</u> (1991) 19:4097-4102
СК	OWICKI, J.C. et al., "Application of Fluorescence Polarization Assays in High-Throughput Screening," Genetic Engineering News (1997)
CL	OZERS, M.S. et al., "Equilibrium Binding of Estrogen Receptor with DNA Using Fluorescence Anistropy," J. Biol. Chem. (1997) 272:30405-11
СМ	SCHADE, S.Z. et al., "BODIPY-a-Casein, a pH-Independent Protein Substrate for Protease Assays Using Fluorescence Polarization," Analytical Biochemistry (1996) 243:1-7
CN	SMALLSHAW, J.C. et al., "Determination of the Binding Constants for Three HPr-Specific Monoclonal Antibodies and Their Fab Fragments," Mol. Biol. (1998) 280:765-74
СО	TANHA, J. et al., "Thermodynamic Analysis of Monoclonal Antibody Binding to Duplex DNA," Nucleic Acids Research (1997) 25:1442-49
СР	TYAGI, S. et al., Nature Biotech, (1996), 14:303-308
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CR	WALKER, G.T. et al., "Strand Displacement Amplification (SDA) and Transient-State Fluorescence Polarization Detection of Mycobacterium Tuberculosis DNA," Clinical Chemistry (1996) 42:9-13
CS	WALKER, G.T. et al., Nucl. Acids Res. (1996), 24(2):34-353
СТ	WEBER, G. "Rotational Brownian Motion and Polarization of the Fluorescence of Solutions," Adv. Protein Chem. (1953) 8:415
CU	WEI, A. et al., "Use of Synthetic Peptides as Tracer Antigens in Fluorescence Polarization Immunoassays of High Molecular Weight Analytes," Anal. Chem. (1993) 65:3372
CV	WILKINSON, D. "Tyr'd and True: Immunochemical Reagents and Kits for Studying Tyrosine Phosphorylation," The Scientist (1999) pp. 13-21
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